IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Mr. JUSTICE K.C. BHANU

WRIT PETITION No.12172 of 2004

Between:

1.Bheem Singh S/o.KJurmaiah
Mahabubnagar Bus Depot, Mahabubnagar District.
2.A.Anjaneyulu S/o.Pullaiah
APSRTC, Mahabubnagar Bus Depot Mahabubnagar District.
3.Manik Rao S/o.Mallappa
APSRTC, Mahabubnagar Bus Depot Mahabubnagar District.
4.V.S.Rao S/o.Venkata Krishna Rao, Hindu
APSRTC, Mahabubnagar Bus Depot Mahabubnagar District.
5.K.Premodh Kumar S/o.Narayan Rao
APSRTC, Narayanpet Bus Depot Mahabubnagar District.
6.Md.Muneer S/o.Khaja Mohinuddin
APSRTC, Narayanpet Bus Depot Mahabubnagar District.
7.G.Ramulu S/o.Gopaiah
APSRTC, Kalwakurthy Bus Depot Mahabubnagar District.
8. S.N.Rao S/o.Balakrishan Rao, Hindu
APSRTC, Kalwakurthy Bus Depot Mahabubnagar District.
9.Md.Sharfuddin S/o.Goremiya
APSRTC, Kalwakurthy Bus Depot Mahabubnagar District.
10.P.R.Goud S/o.Balaswamy Goud
APSRTC, Kalwakurthy Bus Depot Mahabubnagar District.
11.K.A.K.Sharma S/o.K.Ramachary,
APSRTC, Shadnagar Bus Depot Mahabubnagar District.

..... PETITIONERS

AND

1.The Regional Manager APSRTC Mahabubnagar Region at Mahabubnagar.
2.The Depot Manager APSRTC Mahabubnagar Bus Depot. at Mahabubnagar.
3.The Depot Manager APSRTC, Narayanpet Bus Depot., at Mahabubnagar.
4.The Depot Manager APSRTC, Kalwakurthy Bus Depot., at Mahabubnagar.

5.The Depot Manager APSRTC, Shadnagar Bus Depot., at Mahabubnagar.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more particularly one in the nature of writ of mandamus declaring that the action of the respondents in not giving the Special Grade/Stagnation increment to the petitioners with effect from their completion of 12 years of service in APSRTC in total (All regions) and counting the present region's service of 12 years for 12 years Special Grade/Stagnation increment as bad, arbitrary, illegal, unjust and contrary to the circulars and consequently direct the respondents to effect the 12 years stagnation/Special Grade to the petitioners on their completion of Special Grade 12 years.

Counsel for the Petitioner: MR.P.VENKATESWAR RAO

Counsel for the Respondents: MR.K.HARINATH

The Court made the following :

ORDER:

-

For not granting stagnation increment the present writ petition is filed. According to the writ petitioners, they completed 12 years of service in the respondent-corporation and therefore they are entitled to the stagnation increment. As the stagnation increment/Special Grade was not sanctioned to him the present writ petition is filed.

The learned counsel for the petitioners contended that the total service in the corporation has to be taken into consideration for granting stagnation increment/Special Grade. On the other hand, the learned counsel for the respondents contended that as the petitioners have not completed 12 years of service in a particular region they are not entitled for such benefits.

This Court in WA No.1301 of 2000 dated 20.10.2002 held that it is the total service rendered by the employee in the corporation that counts but not in the division or region. Following the above judgment the total service of the petitioners has to be taken into consideration in granting stagnation increment/Special Grade. So, the respondents are directed to consider the case of the petitioners for granting

stagnation/Special Grade increment considering the total service rendered by them in the corporation within a period of two months from the date of receipt of a copy of this order. In the circumstances of the case, there shall be no order as to costs.

_____

(K.C. BHANU, J)

July 15, 2004

Dsk

To

1. The Regional Manager, APSRTC, Mahbubnagar Region, Mahbubnagar.
2. The Depot Manager, APSRTC, Mahbubnagar Bus Depot,Mahbubnagar.
3. The Depot Manager, APSRTC, Narayanpet Bus Depot, Mahbubnagar District.
4. The Depot Manager, APSRTC, Kalwakurthy Bus Depot, Mahbubnagar District.
5. The Depot Manager, APSRTC, Shadnagar Bus Depot, Mahbubnagar District.
6. Two C.D. Copies.